

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

In re

Case No. 3:21-mc-01375-JR

ROMAN CATHOLIC ARCHBISHOP
OF PORTLAND IN OREGON, and
successors, a corporation sole, dba
Archdiocese of Portland in Oregon,

AMENDED
OPINION AND ORDER

Interested Parties/Claimants: J.D.

RUSSO, Magistrate Judge:

This action was filed December 21, 2021, in connection with the settlement of the dispute between interested party J.D. and movant Roman Catholic Archbishop of Portland in Oregon (“Archbishop”). This Court has jurisdiction pursuant to [28 U.S.C. § 1334\(b\)](#) based on the relatedness of these proceedings to *In re Roman Catholic Archbishop of Portland* (D. Or. Bankr. Case No. 04-37154), a case arising under Title 11 of the United States Code. Specifically, this action is subject to the Future Claims Trust provided for in the Third Amended and Restated Joint Plan of Reorganization (“Plan”) which, in relevant part, sets a \$20 million cap on the total funds available to pay all claims made against the Archbishop through April 30, 2030.

Pursuant to Section 6.4.5 of the Plan, any settlement is “subject to approval of the District Court in accordance with the procedures set forth in Section 11.8.” Mot. Ex. A, at 3 ([doc. 1](#)). Section 11.8, in turn, requires that notice of any motion to approve a settlement subject to the Future Claims Trust be served on: all plaintiffs with pending or otherwise unpaid claims against the Archdiocese and Archbishop, Future Claimants Representative (attorney David A. Foraker), and Future Claims Trustee (MUFG Union Bank, N.A.). Section 11.8 further provides that all notified parties must be given at least 20 days (plus an additional three days if notice is served by mail) in which to file objections, if any.

Here, a mediation was held on November 18, 2021, and negotiations continued until an agreement was reached to settle J.D.’s claim for \$500,000 from the Future Claims Trust. As required by Section 11.8 of the Plan, notice was furnished at the same time the present motion was filed. The notice period lapsed on January 13, 2022, and no objections have been filed. Counsel for J.D. do not oppose this motion.

In the absence of objection by any interested party, and in consideration of the size of the proposed payment at issue relative to the amount remaining in the Future Claims Trust, the Court finds no reason exists to deny approval of the parties’ proposed settlement.

CONCLUSION

For the reasons stated above, the motion ([doc. 1](#)) to approve settlement with J.D. in the amount of \$500,000 from the Future Claims Trust is GRANTED.

IT IS SO ORDERED.

DATED this 20th day of January, 2022.

/s/ Jolie A. Russo
Jolie A. Russo
United States Magistrate Judge